

CENTRAL INTELLIGENCE AGENCY

INFORMATION REPORT

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Arrests and Investigations

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1. Only the Militia or the State Security (Dzrazhna Sigurnost) can make arrests, either upon their own initiative or at the request of other governmental departments. A report of the arrest must be submitted within 48 hours to the prosecutor, who may order the immediate release of the prisoner or may authorize his detention for a period not to exceed 14 days; however, if necessary, this period can be extended to one month. The preliminary investigation (doznanie) is initiated by the Militia immediately following the arrest, and it may be completed without prior authority from the prosecutor. Although the case should be forwarded to the prosecutor after completion of the Militia investigation, it is frequently sent on to the Ministry of the Interior for further investigation. In such cases the detention of the accused can be extended for an additional two months of investigation (sledstvie).
2. Upon receipt of the finished investigation, the prosecutor decides whether to cancel the case and release the prisoner, to return the material with directions for further investigation, or to prepare the case for trial. But the decision to bring a case to trial does not lie within the authority of the prosecutor, who can only bring a bill of indictment before a preparatory court session (predvaritelno zasiedanie). The court then decides, without hearing the accused or his defense counsel, whether the case is to be brought to trial. The preparatory court sessions are of the utmost importance from the viewpoint of Communist jurisdiction; cases which may throw an unfavorable light on the regime or which may result in a verdict which the authorities (particularly the Ministry of the Interior) wish to avoid are simply shelved at this stage. To facilitate the proceedings, the preparatory sessions discuss first the life history of the accused, with particular emphasis on his social origin and the occupation of his parents.
3. Anonymous letters to authorities about crimes committed by others are common. The Penal Code (Nakasatelen Zakon) lists it as the duty of every citizen to inform

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-2-

the authorities about any crime which has come to his notice. Legal proceedings cannot be initiated on the basis of anonymous letters, but police investigations usually result from such anonymous letters. Premier Vŭlko Chervankov stated at the Sixth Congress of the Bulgarian Communist Party (25 February to 3 March 1954) that the writing of anonymous letters had assumed such proportions that action would have to be taken to stop this practice.

4. Yordan Chobanov is the attorney-general and chief prosecutor of Bulgaria.

5. Other personalities in the prosecution hierarchy are as follows:

25X1

- a. Prosecutors of the chief prosecutor's office:

- Emanuel Doychinov.
- Khristo Dionisieff.
- N. Kafedninski.
- Marin Kozhukharov.
- Khristo Lalov.
- Dimitur Rumenov.
- Yovcho Srebrev.
- Mikhayl Uzunov.
- Todor Zokov.

25X1

- b. Sofia Okrug prosecutors:

- Docho Rachev Dechev.
- Dimitur Dimitrov.
- Sokol Dobrev.
- Stefan Mitev Ganchev.
- Nedelko Khristov.
- Yani Yanev.
- Vasil Kamburov.
- Spas Kirkov.
- Boris Manchev.
- Georgi Panayotov.
- Petur Petrov.
- Andrey Rusev.
- Yordan Ivanov Rusev.
- Stoycho Stoychev.
- Kosta Vladinski.

- c. Assistant prosecutors for Sofia Okrug subdistricts (okoliyas):

- Lukan Bankov.
- Georgi Berov.

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-3-

25X1

- Mariya Deleva.
- G. Draganov.
- Iliya Gochev.
- Veselina Kimiryanova.
- Asen Kolchev.
- Boyan Mikhaylov.
- Yuliya Nikolova.
- Boris Novakov.
- Panteley Paskalev.
- Dimitŭr Zdravkov.
- V. Tronkov.

d. Prosecutor at the Transport Court:

- Slave Okov.

e. Assistant prosecutors at the Transport Court:

- P. Braney.
- Lazar Petkov.
- P. Zdravkov.

The Courts

6. Jurisdiction is divided among the following courts:

- a. People's Courts (Narodni Sŭdilishta);
- b. Okrŭg Courts (Okrŭzhni Sŭdilishta);
- c. Supreme Court (Vŭrkhoven Sŭd); and
- d. Special Courts, such as military and transport (Osobeni Sŭdilishta).

7. Lay judges participate in the judgement on cases, except for those special cases which come before the Special Courts. The posts of both lay judges and judges are elective. Trials which the courts or Party organs consider to have a special public interest (education, demonstrative, or otherwise) may be held at any place designated, such as a factory or a farm.

8. Each People's Court is headed by a People's Judge (Naroden Sŭdiya), who is also in charge of the court's administration and of the notary public attached to the court. The President of the Court directs the administration of an Okrŭg court. An Okrŭg court with more than five judges operates in a civil section (Grazhdanska) and a criminal section (Nakazatelna). All legal material concerning an accused person awaiting trial is kept in the Court's archives. While the prosecutor's office and the investigative organ may borrow part of the material from the archives, they may not keep it for more than seven days. Counsel for one of the parties may see the material in the archives, but other lawyers who have not been appointed as attorneys cannot see the file without authorization of the legal collective (Yuridicheska Konsultatsiya) to which he belongs.

9. In cases against officials of the Ministry of the Interior or the Army, or in civil cases in which government officials are involved, only those lawyers can appear who have received a special authorization from the Ministry of the Interior and of the "Board of the Bar Association." Only they are allowed to see the investigative files.

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-4-

25X1

10. Most lawyers will not accept political cases, particularly those where the security organs have an interest in obtaining the conviction of the accused. Further, the authorities are making efforts to eliminate unreliable lawyers, leaving only those known for their loyalty to the regime. On 15 May 1954, 45 lawyers lost their licenses on the grounds that they did not have enough to do and that they received pensions, the latter charge being only partly true. At the same time, only 24 licences were granted to newly-graduated lawyers, all of whom were Communist and some of whom had finished the Party school (Partiyna shkola).
11. The following personalities of the Bar Association are known:
 - a. President: Ivan Svetoslav Kiradzhiev.
 - b. Deputy Presidents:
 - Konstantin Dimitrov P. Elenkov.
 - Nikola Khristo Peev.
 - c. Secretary: Zhelyasko Kanev Vladinski.
 - d. Members of the Board:
 - Stefan Ivanov Dlagnekov.
 - Kiril Georgiev Khristov.
 - Dr. Serafim Imlushev Ivanov.
 - Astruk Davidov Kalev.
 - Nikola Georgiev Koynov.
 - Boris Mitov Konov.
 - Lev Yordanov Levkov.
 - Aleksandur Boilov Papanchev.
 - Asen Panev Stanimirov.
 - Teofil Stoyanov Stoyanov.
 - e. Members of the Control Committee:
 - Asen Mikhaylov Baruchiyski.
 - Ezra Nisimov Benatov.
12. The court of the first instance is either the People's Court or the Okrug Court, depending upon the nature of the case. A judgement of the People's Court may be appealed to the Okrug Court, and a judgement of the Okrug Court - if first instance - can be appealed to the Supreme Court. The Okrug Court or the Supreme Court, sitting as a Court of Appeals, may annul in part or in whole the verdict of the lower court, may return the case to the lower court for a new trial, or may pronounce a judgement of its own.
13. Sittings of the Supreme Court need not be attended by a clerk, and recording of the proceedings is not obligatory. In cases which are open to legal doubt, the Supreme Court may issue an authentic interpretation of the law, which is subsequently published and serves as a precedent. This is done, however, only at the request of the Minister of Justice, the Attorney-General, or the President of an Okrug Court.
14. While the Special Courts of Appeal (Apelativen Sud) were abolished by the present regime, a so-called Legal Institute has recently been established to examine

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25X1

-5-

legally-closed cases. Neither the parties concerned nor the prosecutor have the right to ask the Institute to examine a case; only the President of the Supreme Court or the Attorney-General may make the request, not later than one year from the date of the verdict. The interested parties, however, may request the President of the Supreme Court or the Attorney-General to submit the case to the Institute for re-examination. The Supreme Court holds its deliberations on such cases in closed sessions, and the parties concerned are informed of its decision.

15. Sittings of the courts are held both in the morning and in the afternoon. The pressure of work is great, and the trials proceed with the utmost speed. Witnesses are pressed to hurry their testimony, and the judge frequently remarks that the witness has no time left. The average number of cases before a judge is 15 to 25 per day. The most common cases deal with the following:
 - a. People's Courts: Conflicts and claims over rent and apartments; claims between government institutions, factories, and enterprises; theft of government or cooperative property; and embezzlement by employees; and
 - b. Okrug Courts: Divorce cases, large-scale embezzlement by government officials, and irregularities in the account books of enterprises.

The Judges

16. The large majority of judges in Bulgaria are new in the profession; the older prewar judges, who are still in legal work, have chosen private practice instead of the bench. Average monthly salaries for judges are as follows:
 - a. People's judge: 700 to 800 leva;
 - b. Okrug judge: 750 to 950 leva; and
 - c. Supreme Court judge: 900 to 1,300 leva.
17. The Bench, made up exclusively of Communists, is not independent nor are its judgements given on the merits of the case. Indoctrination of future judges begins at the University, where the students are taught that the judicial body is one of the major instruments for furthering Communism and eliminating any remnants of the capitalistic order. The Communist Party accomplishes its direct control over the judicial body and ensures the "correct" administration of justice in two ways:
 - a. Effective control of the Legislature: Every draft law, in its exact wording and use, is first debated and approved by the Central Committee before it is brought before the Council of Ministers and the National Assembly; and
 - b. Direct supervision and "education" of judges: This is accomplished through responsible Party officials within the Bench and through the okoliya and city Party organs.
18. Although there are many cases of bribery in the People's Courts and the Okrug Courts, there is only small-scale corruption among judges. In general, judges lack authority and do not have the confidence of the people, who regard them as other government employees who comply with orders from above. The public does not expect justice from the courts.

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-6-

25X1

19. Colonel Nikola Dochev Tsvetkovski, former military and therefore also deputy chief prosecutor of Bulgaria, is president of the Supreme Court. He was also a lecturer on military law at the Academy of Law. Although a veteran Communist, he is not active and has neither opinions nor convictions of his own.

20. Other personalities in the judicial hierarchy are as follows:

a. Deputy Presidents of the Supreme Court:

- Boris Simeonov Barov.
- Nayden Raychev Durzhanovski.
- Stefan Dimitrov P. Gospodinov.
- Stefan Vasilev Ivanov.
- Nayden Khristov Maleev.
- Trayko Lazarov Monov.
- Vasil Khristov Raychin.
- Nikola Dimitrov Rushev.
- ~~Major~~ Nikola Simov Takov.

b. Members of the Supreme Court:

- Nedelcho Georgiev Branev.
- Dimitur Khristov Dimitrov.
- Dimitur Rusinov Gadelev.
- Khristo Ivanov Georgiev.
- Zhelyu Gospodinov Zhelev.
- Colonel Stefan Yakov Zhnev.
- Konstantin Angelov Konstantinov.
- Anton Nikolov Levkov.
- Nikola Angelov Manchev.
- Boris Dobrev Marinov.
- Dimitur Spasov Mitov.
- Nikolay Gavrilov Nikolov.
- Manol Todorov Panchev.
- Kosta Dimitrov Pavlov.
- Vasil Simchev Piperkov.
- Damyan Popkhristov Popov.
- Radoslav Petkov Radev.
- Nedelcho Monolov Ralev.
- Iliya Danev Sabev.
- Sava Yanakiev Savov.
- Major Milko Iliev Stefanov.
- Radi Petkov Stefanov.
- Stoyan Ivanov Chuchev.
- Georgi Grigorov Todorov.
- Marin Marinov Todorov.
- Nikola Yanev Todorov.
- Ivan Petkov Topalov.
- Asen Atanasov Vayarov.

c. President of the Sofia Okrug Court:

- Stefan Ivanov Velichkov. Although considered a good lawyer, he lacks both independent conviction and opinions. He presided over the show trial of the Catholic priests in Bulgaria.

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-7-

25X1

d. Deputy Presidents of the Sofia Okrug Court:

- Sofroni Arsov.
- Aleksandur Danchev.
- Radoslav Donchev.
- Dimitur Ivanov.

e. Members of the Sofia Okrug Court:

- Lyubomir Andreychev.
- Lyubomir Atanasov.
- Iliya Baychev.
- Ekaterina Byolcheva.
- Dimitur Dakov.
- Angel Denchev.
- Nikola Dlagnekov.
- Dr. Borislav Filipov.
- G. Gabenski.
- Atanas Galabov.
- Krum Genov.
- Margarita Khalacheva.
- Miko Khinov.
- Borislav Khristov.
- Konstantin Kaloferov.
- Iliya Karakashev.
- Aleksandur Kiprovo.
- Dimitur Konstantinov.
- Kostadinka Lazarova.
- Vladimir Mechkov.
- D. Mirkov.
- Aleksandur Monchev.
- Kiril Nikolov.
- Todor Nikolov.
- Lyuben Patronev.
- Pencho Penchev.
- Petur Penchev.
- Srebro Petkov.
- Georgi Popov.
- Dimitur Sagorov.
- Mityo Sandulov.
- Yordan Sharenkov.
- Dimitur Slatinov.
- Georgi Tokev.
- Khristov Tomov.
- Vasil Vasilev.
- Slave Velichkov.

f. President of the Sofia People's Court:

- Emil Mikhaylov.

g. Members of the Sofia People's Court:

- Mladen Danaylov.
- Atanas Iliykov.
- Ivan Lenkov.
- Georgi Mendevo.

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-8-

25X1

- Mikhayl Mensv.
- Kostadin Miladinov.
- Hadezhda Moneva.
- Zhorzh Nikolaev.
- Stefan Pastukhov.
- Milan Petrov.
- Dobri Petrunov.
- R. Piskuliyski.
- Danail Popov.
- Kostadinka Ruseva.
- Toma Zlatanov.
- Krum Spasov.
- Georgi Chernev.
- Georgi Tsoukov.

The New Law

21. The ambiguity and too-concise wording of the new laws facilitates Communist justice by enabling the judge to come to any desired conclusion and pronounce the desired judgement. The following examples are typical:
 - a. The former Civil Code (Grazhdansko Sudoproizvodstvo) had 1,021 paragraphs, while the new law has only 488 paragraphs;
 - b. The former Penal Code (Nakazatelen Zakon) had 687 paragraphs, while the new law has only 369 paragraphs, 141 of which are devoted to military law;
 - c. The former Code of Contracts and Liabilities had 1,470 paragraphs, while the new law has only 436 paragraphs;
 - d. Paragraph 22 of the Penal Code fixes the death penalty for serious crimes which endanger the security of the State, as well as "for other especially dangerous crimes;" and
 - e. Paragraph 12 of the Penal Code states that those acts which were considered as crimes at the time of commission but which, because of changes in the political situation, have lost their dangerous aspect will not be punished.
22. Changes in the official Communist policy in domestic affairs and the difficulties encountered by the regime in implementing this policy are reflected in various legislative measures:
 - a. Low wages, high norms, and long working days in the large essential government enterprises caused large numbers of workers to begin migrating from one place to another, tending eventually to work in small and unimportant cooperatives; on 17 February 1953, a special law was passed to prevent migration of labor, with sentences ranging up to three years imprisonment or forced labor; however, the law failed to stop the mass migration and was annulled, without publicity, at the end of 1953; even before the law was annulled, rumor was prevalent that the Courts had received instructions not to impose any heavy sentences in cases against labor migrants;
 - b. The nationalization law for large private properties in towns has also failed; there were doubts in Party circles that the judges were reliable

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-9-

25X1

enough to enforce this law strictly, with the result that the Special Commission (Spetsialna Komisiya) was established to deal with such cases; no case under decision by this commission has ever been known to have been decided in favor of a private citizen against the State; and

- c. Cases initiated by individual peasants against collective farms (TKZS; Trudovo Kooperativno Zemedelsko Stopanstvo) are swiftly and effectively dealt with; the Party calls for meetings of judges, especially in provincial towns, and clearly and forcefully "explains" the necessity of upholding the interests of the collective farms; after such explanations, judges do not dare allow their judgements to contradict the Party line.

Staged Trials

- 23. A large number of educated persons are convinced that the trial of the Catholic priests in Bulgaria was completely staged, but opinions are divided about the trial of the Protestant priests. The following points are known about the trial of the Catholic priests:
 - a. The exhibits which the prosecution presented to the Court were some American drugs, which any citizen might have in his possession, some chocolate, some cocoa, two rifles (one old and unusable and one new with a few shells), four or five rusty hand grenades which were not even examined, two 6.5 revolvers found on Kamen Yankov, and two small radio transmitters found in the possession of Dr. Saritsky, which the accused had never used; Yankov and Saritsky were sentenced to death;
 - b. Tobiya Nokov, a priest in a provincial town, confessed to having told Kamen Vichev that the peasants did not want to enter the collective farms; his defense counsel asked for acquittal, but Nokov declared during the final session of the court that he felt himself guilty; Stefan Velichkov, President of the Court, stated that everyone said that the peasants "did not yet understand the usefulness of the TKZS" and did not want to join them, but this was not decisive; Vichev's having told this remark to a member of a foreign legation (Don Baloni of the Italian Legation) was espionage; and
 - c. Slavcho Sotirov, a lawyer who was accused of having asked a court archivist to copy for him the session records of a political trial, which had been open to the public, was sentenced to one and one-half years in prison; the archivist in question is still employed in the same position in the Court.

Prisons

- 24. The small camp at Belene village (N 43-39, E 25-08) is the only concentration or forced labor camp in Bulgaria. It has approximately 160 inmates. Former inmates of other camps have either been released or transferred to prisons; they are political prisoners and are not, therefore, eligible for reprieve.
- 25. A special department of the Ministry of the Interior controls the 17 prisons in Bulgaria: 12 small prisons and five large ones at the provincial (okrug) capitals of Sofia, Pleven, Sliven, Varna, and Ruse. The total number of prisoners is 12,000 to 16,000, one-fifth of whom are political prisoners. Prison inmates, except those who are working, live under miserable conditions, but work positions are given only on the basis of bribery and favoritism. Prisoners do not even complain of having to pay for things which they should normally receive for fear of revenge being taken against their families. Prison discipline is strict, and cases of uprisings or active resistance are not known.

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